small governmental jurisdictions. This rule would not have a significant impact on a substantial number of small entities because it only affects one entity, the Molex facility in Lincoln, NE. Therefore, EPA certifies that this action will not have a significant economic impact on a substantial number of small entities.

D. Paperwork Reduction Act

This action applies only to one company, and therefore requires no information collection activities subject to the Paperwork Reduction Act, and therefore no information collection request (ICR) will be submitted to the Office of Management and Budget (OMB) for review in compliance with the Paperwork Reduction Act, 44 U.S.C. 3501 *et seq.*

E. Unfunded Mandates Reform Act

Title II of the Unfunded Mandates Reform Act of 1995 (UMRA), Public Law 104–4, establishes requirements for Federal agencies to assess the effects of their regulatory actions on State, local, and tribal governments and the private sector. Under section 202 of the UMRA, EPA generally must prepare a written statement, including a cost-benefit analysis, for proposed and final rules with ''Federal mandates'' that may result in expenditures to State, local, and tribal governments, in the aggregate, or to the private sector, of $100 million or more in any one year. Before promulgating an EPA rule for which a written statement is needed, section 205 of the UMRA generally requires EPA to identify and consider a reasonable number of regulatory alternatives and adopt the least costly, most cost-effective or least burdensome alternative that achieves the objectives of the rule. The provisions of section 205 do not apply when they are inconsistent with applicable law. Moreover, section 205 allows EPA to adopt an alternative other than the least costly, most cost-effective or least burdensome alternative if the Administrator publishes with the final rule an explanation why that alternative was not adopted. Before EPA establishes any regulatory requirements that may significantly or uniquely affect small governments, including tribal governments, it must have developed under section 203 of the UMRA a small government agency plan. The plan must provide for notifying potentially affected small governments, enabling officials of affected small governments to have meaningful and timely input in the development of EPA regulatory proposals with significant Federal intergovernmental mandates, and informing, educating, and advising small governments on compliance with the regulatory requirements.

As noted above, this rule is limited to Molex's facility in Lincoln, NE. EPA has determined that this rule contains no regulatory requirements that might significantly or uniquely affect small governments. EPA has also determined that this rule does not contain a Federal mandate that may result in expenditures of $100 million or more for State, local, and tribal governments, in the aggregate, or the private sector in any one year. Thus, today's rule is not subject to the requirements of sections 202 and 205 of the UMRA.

List of Subjects in 40 CFR Part 260

Environmental protection, Hazardous waste, Treatment storage and disposal facility, Waste determination.

Dated: October 27, 1997.

Carol M. Browner,

Administrator.

For the reasons set forth in the preamble of this rule, chapter I of title 40 of the Code of Federal Regulations is amended as follows:

1. The authority citation for part 260 continues to read as follows:

Authority: 42 U.S.C. 6905, 6912(a), 6921–6927, 6930, 6934, 6935, 6937, 6938, 6939, and 6974.

2. Section 260.31 is amended by adding paragraph (d) to read as follows:

§ 260.31 Standards and criteria for variances from classification as a solid waste.

* * * * *

(d) Pursuant to participation by Molex, Inc. in the Project XL program (May 23, 1995 and April 22, 1997), and for a period not to exceed two years, the Nebraska Department of Environmental Quality may grant to the Molex, Inc. facility located at 700 Kingbird Road in Lincoln, NE, a temporary variance from classifying as a solid waste the commodity-like nickel, copper, and tin/lead non-precious metals bearing sludges generated at the facility.

[FR Doc. 97–29052 Filed 10–31–97; 8:45 am]

BILLING CODE 6560–50–U

FEDERAL EMERGENCY MANAGEMENT AGENCY

44 CFR Part 64

[Docket No. FEMA–7673]

List of Communities Eligible for the Sale of Flood Insurance

AGENCY: Federal Emergency Management Agency (FEMA).

ACTION: Final rule.

SUMMARY: This rule identifies communities participating in the National Flood Insurance Program (NFIP). These communities have applied to the program and have agreed to enact certain floodplain management measures. The communities' participation in the program authorizes the sale of flood insurance to owners of property located in the communities listed.

EFFECTIVE DATES: The dates listed in the third column of the table.

ADDRESSES: Flood insurance policies for property located in the communities listed can be obtained from any licensed property insurance agent or broker serving the eligible community, or from the NFIP at: Post Office Box 6464, Rockville, MD 20849, (800) 638–6620.

FOR FURTHER INFORMATION CONTACT: Robert F. Shea, Jr., Division Director, Program Implementation Division, Mitigation Directorate, 500 C Street SW., room 417, Washington, DC 20472, (202) 646–3619.

SUPPLEMENTARY INFORMATION: The NFIP enables property owners to purchase flood insurance which is generally not otherwise available. In return, communities agree to adopt and administer local floodplain management measures aimed at protecting lives and new construction from future flooding. Since the communities on the attached list have recently entered the NFIP, subsidized flood insurance is now available for property in the community.

In addition, the Associate Director of the Federal Emergency Management Agency has identified the special flood hazard areas in some of these communities by publishing a Flood Hazard Boundary Map (FHBM) or Flood Insurance Rate Map (FIRM). The date of the flood map, if one has been published, is indicated in the fourth column of the table. In the communities listed where a flood map has been published, Section 102 of the Flood Disaster Protection Act of 1973, as amended, 42 U.S.C. 4012(a), requires the purchase of flood insurance as a condition of Federal or federally related financial assistance for acquisition or construction of buildings in the special flood hazard areas shown on the map.

The Associate Director finds that the delayed effective dates would be contrary to the public interest. The Associate Director also finds that notice and public procedure under 5 U.S.C. 553(b) are impracticable and unnecessary.

National Environmental Policy Act. This rule is categorically excluded from

the requirements of 44 CFR Part 10, Environmental Considerations. No environmental impact assessment has been prepared.

Regulatory Flexibility Act. The Associate Director certifies that this rule will not have a significant economic impact on a substantial number of small entities in accordance with the Regulatory Flexibility Act, 5 U. S. C. 601 *et seq.*, because the rule creates no additional burden, but lists those communities eligible for the sale of flood insurance.

Regulatory Classification. This final rule is not a significant regulatory action under the criteria of section 3(f) of Executive Order 12866 of September 30, 1993, Regulatory Planning and Review, 58 FR 51735.

Paperwork Reduction Act. This rule does not involve any collection of information for purposes of the Paperwork Reduction Act, 44 U.S.C. 3501 *et seq.*

Executive Order 12612, Federalism. This rule involves no policies that have federalism implications under Executive Order 12612, Federalism, October 26, 1987, 3 CFR, 1987 Comp., p. 252.

Executive Order 12778, Civil Justice Reform. This rule meets the applicable standards of section 2(b)(2) of Executive Order 12778, October 25, 1991, 56 FR 55195, 3 CFR, 1991 Comp., p. 309.

List of Subjects in 44 CFR Part 64

Flood insurance, Floodplains.

Accordingly, 44 CFR part 64 is amended as follows:

PART 64—[AMENDED]

1. The authority citation for Part 64 continues to read as follows:

Authority: 42 U.S.C. 4001 *et seq.*, Reorganization Plan No. 3 of 1978, 3 CFR, 1978 Comp., p. 329; E.O. 12127, 44 FR 19367, 3 CFR, 1979 Comp., p. 376.

§ 64.6 [Amended]

2. The tables published under the authority of § 64.6 are amended as follows:

State/location	Community No.	Effective date of eligibility	Current effective map date
New Eligibles—Emergency Program			
Iowa: Marshall County, unincorporated areas	190890	Sept. 19, 1997	June 3, 1997.
Texas:			
Eastland County, unincorporated areas	480793	Sept. 30, 1997	Nov. 15, 1997.
Frio County, unincorporated areas	481172	.....do.	
New Eligibles—Regular Program			
Pennsylvania: Lumber City, borough of, Clearfield County.	420309	Sept. 9, 1997	NSFHA.
Michigan: Meyer, township of, Menominee County	260458	Aug. 19, 1997	Aug. 19, 1997.
Maine: Long Island, town of, Cumberland County [1]	231035	Sept. 17, 1997	July 15, 1992.
North Carolina: Cornelius, town of, Mecklenburg County [2].	370498	Sept. 30, 1997	Feb. 3, 1993.
Texas: Montgomery, city of, Montgomery County	481483	.....do	Dec. 19, 1996.
Withdrawal			
South Dakota: Corsica, town of, Douglas County	460167	Feb. 24, 1997, Emerg.; Apr. 25, 1997, Reg.; Sept. 30, 1997, With.	NSFHA.
Reinstatements			
Ohio: Milford Center, village of, Union County	390662	May 14, 1975, Emerg.; June 2, 1995, Reg.; June 2, 1995, Susp.; Sept. 17, 1997, Rein.	June 2, 1995.
Illinois:			
Lake Forest, city of, Lake County	170374	Apr. 23, 1974, Emerg.; Feb. 18, 1981, Reg.; Sept. 3, 1997, Susp.; Sept. 18, 1997, Rein.	Sept. 3, 1997.
Lake Villa, village of, Lake County	170375	Oct. 16, 1974, Emerg.; July 2, 1981, Reg.; Sept. 3, 1997, Susp.; Sept. 18, 1997, Rein.	Do.
Hainesville, village of, Lake County	171005	May 11, 1995, Reg.; Sept. 3, 1997, Susp.; Sept. 19, 1997, Rein.	Do.
Riverwoods, village of, Lake County	170387	Aug. 21, 1975, Emerg.; Aug. 15, 1980, Reg.; Sept. 3, 1997, Susp.; Sept. 19, 1997, Rein.	Do.
Deer Park, village of, Lake County	171028	Feb. 17, 1993, Emerg.; Sept. 3, 1997, Susp.; Sept. 22, 1997, Rein.	Do.
Lake County, unincorporated areas	170357	Apr. 4, 1973, Emerg.; Nov. 3, 1982, Reg.; Sept. 3, 1997, Susp.; Sept. 23, 1997, Rein.	Do.
Fox Lake, village of, Lake County	170362	Mar. 9, 1973, Emerg.; Sept. 29, 1978, Reg.; Sept. 3, 1997, Susp.; Sept. 24, 1997, Rein.	Do.
Highland Park, city of, Lake County	170367	Apr. 5, 1973, Emerg.; Nov. 5, 1980, Reg.; Sept. 3, 1997, Susp.; Sept. 30, 1997; Rein.	Do.
Michigan: Nottawa, township of, Isabella County	260821	Apr. 24, 1989, Emerg.; May 2, 1991, Reg.; May 2, 1991, Susp.; Sept. 30, 1997, Rein.	May 2, 1991.
Ohio: Stockport, village of, Morgan County	390423	May 30, 1975, Emerg.; Aug. 1, 1987, Reg.; Aug. 1, 1987, Susp.; Sept. 30, 1997, Rein.	Aug. 1, 1987.
Texas: Smith County, unincorporated areas	481185	Jan. 5, 1979, Emerg.; July 2, 1981, Reg.; July 2, 1981, Susp.; Sept. 30, 1997, Rein.	July 2, 1981.
Regular Program Conversions			
Regional III			
Virginia: Culpeper County, unincorporated areas	510041	Sept. 3, 1997, Suspension Withdrawn	Sept. 3, 1997.
Region V			
Illinois:			
Antioch, village of, Lake County	170358	.....do	Do.

State/location	Community No.	Effective date of eligibility	Current effective map date
Bannockburn, village of, Lake County	170359	do	Do.
Beach Park, village of, Lake County	171022	do	Do.
Buffalo Grove, village of, Lake County	170068	do	Do.
Deerfield, village of, Lake County	170361	do	Do.
Grayslake, village of, Lake County	170363	do	Do.
Green Oaks, village of, Lake County	170364	do	Do.
Gurnee, village of, Lake County	170365	do	Do.
Hawthorn Woods, village of, Lake County	170366	do	Do.
Kildeer, village of, Lake County	170371	do	Do.
Lake Barrington, village of, Lake County	170372	do	Do.
Lake Bluff, village of, Lake County	170373	do	Do.
Lake County unincorporated areas	170357	do	Do.
Lake Zurich, village of, Lake County	170376	do	Do.
Libertyville, village of, Lake County	170377	do	Do.
Lincolnshire, village of, Lake County	170378	do	Do.
Lindenhurst, village of, Lake County	170379	do	Do.
Long Grove, village of, Lake County	170380	do	Do.
Mettawa, village of, Lake County	170381	do	Do.
Mundelein, village of, Lake County	170382	do	Do.
North Barrington, village of, Lake County	170383	do	Do.
North Chicago, village of, Lake County	170384	do	Do.
Old Mill Creek, village of, Lake County	170385	do	Do.
Park City, city of, Lake County	170386	do	Do.
Round Lake, village of, Lake County	170388	do	Do.
Round Lake Beach, village of, Lake County	170389	do	Do.
Round Lake Heights, village of, Lake County	170390	do	Do.
Round Lake Park, village of, Lake County	170391	do	Do.
Third Lake, village of, Lake County	170392	do	Do.
Tower Lakes, village of, Lake County	170393	do	Do.
Vernon Hills, village of, Lake County	170394	do	Do.
Wadsworth, village of, Lake County	170395	do	Do.
Wauconda, village of, Lake County	170396	do	Do.
Waukegan, city of, Lake County	170397	do	Do.
Winthrop Harbor, village of, Lake County	170398	do	Do.
Zion, city of, Lake County	170399	do	Do.
Region VII			
Kansas: Garden City, city of, Finney County	205186	do	Do.
Region IX			
California:			
Madera County, unincorporated areas	060170	do	Do.
Santa Paula, city of, Ventura County	060420	do	Do.
Simi Valley, city of, Ventura County	060421	do	Do.
Ventura County, unincorporated areas	060413	do	Do.
Region I			
Connecticut: Cromwell, town of, Middlesex County	090123	Sept. 17, 1997, Suspension Withdrawn	Sept. 17, 1997.
Massachusetts: Edgartown, town of, Dukes County.	250069	do	Do.
New Hampshire: Keene, city of, Cheshire County	330023	do	Do.
Region II			
New York:			
Brutus, town of, Cayuga County	360104	do	Do.
Gardiner, town of, Ulster County	360856	do	Do.
Region III			
Pennsylvania:			
Lock Haven, city of, Clinton County	420328	do	Do.
Woodward, township of, Clinton County	420337	do	Do.
Region V			
Ohio:			
Canal Winchester, village of, Franklin County	390169	do	Do.
Franklin County, unincorporated areas	390167	do	Do.
Wisconsin: West Bend, city of, Washington County	550475	do	Do.
Region IX			
Arizona: Apache County, unincorporated areas	040001	do	Do.
California:			
Dublin, city of, Alameda County	060705	do	Do.
Livermore, city of, Alameda County	060008	do	Do.
Modoc County, unincorporated areas	060192	do	Do.

State/location	Community No.	Effective date of eligibility	Current effective map date
Region VI			
Oklahoma: Marshall County, unincorporated areas	400511	Sept. 30, 1997, Suspension Withdrawn	Sept. 30, 1997.
Region VII			
Nebraska: Howard County, unincorporated areas	310446	do	Do.
Region VIII			
Colorado: Broomfield, city of, Adams, Boulder, and Jefferson Counties.	085073	do	Do.
Montana: Bull Creek, village of, Taney County	290916	do	Do.

[1] The Town of Long Island has adopted the City of Portland (CID #230051) Flood Insurance Rate Map dated July 15, 1992, panels 0003, 0004, 009 and 0010.

[2] The Town of Cornelius has adopted the Mecklenburg County (CID #370158) Flood Insurance Rate Map dated February 3, 1993, panels 005, 0015, and 0020.

Code for reading third column: Emerg.—Emergency; Reg.—Regular; Rein.—Reinstatement; Susp.—Suspension; With.—Withdrawn; NSFHA—Non Special Flood Hazard Area.

(Catalog of Federal Domestic Assistance No. 83.100, ''Flood Insurance'')

Issued: October 24, 1997.

Michael J. Armstrong,

Associate Director for Mitigation.

[FR Doc. 97–28997 Filed 10–31–97; 8:45 am]

BILLING CODE 6718–05–P

FEDERAL COMMUNICATIONS COMMISSION

47 CFR Part 25

[IB Docket No. 96–220; FCC 97–370]

Non-Voice, Non-Geostationary Mobile Satellite Service

AGENCY: Federal Communications Commission.

ACTION: Final rule.

SUMMARY: The Commission has adopted rules and policies to govern the second processing round for the non-voice, non-geostationary mobile satellite service (''NVNG MSS'') also referred to as the ''Little LEO'' service. The Commission's rules adopted include a spectrum sharing plan that permits licensing five NVNG MSS applicants; financial qualification rules; rules requiring NVNG MSS licensees to time-share spectrum with existing commercial and government licensees; and a rule requiring second processing round applicants to file amendments to their applications to conform their applications to the rules adopted in the Report and Order.

EFFECTIVE DATE: January 2, 1998.

ADDRESSES: Office of the Secretary, Federal Communications Commission, 1919 M Street, N.W., Washington, D.C. 20554.

FOR FURTHER INFORMATION CONTACT: Daniel Connors, International Bureau, Satellite Policy Branch, (202) 418–0755; or Kathleen Campbell, International Bureau, Satellite Policy Branch (202) 418–0753.

SUPPLEMENTARY INFORMATION: This is a summary of the Commission's Report and Order in IB Docket No. 96–220; FCC 97–370, adopted October 8, 1997, and released October 15, 1997. The complete text of this Report and Order is available for inspection and copying during normal business hours in the FCC Reference Center (Room 239), 1919 M Street, N.W. Washington, D.C., and from the Commission's world-wide-web page on the Internet (http://www.fcc.gov), and also may be purchased from the Commission's copy contractor, International Transcription Service, (202) 857–3800, 2100 M Street, N.W., Suite 140, Washington, D.C. 20037. Because this Report and Order contains information collections that affect less than 10 persons and, therefore, is not subject to the Paperwork Reduction Act of 1995, Public Law No. 104–13. As required by Section 603 of the Regulatory Flexibility Act, the Commission has prepared a Regulatory Flexibility Analysis (''RFA'') of the expected impact on small entities of the proposals suggested in this document.

Summary of the Report and Order

1. This Report and Order (''R&O'') reflects the Commission's commitment to licensing applicants in the second processing round to provide Little LEO service and the Commission's continued efforts to promote competition in the U.S. satellite services market. With this R&O, we adopt a spectrum sharing plan and service rules and polices for the licensing of five applicants in the second processing round.

2. Because the second processing round applicants filed a mutually agreed upon spectrum sharing plan with the Commission that accommodates all of their proposed systems, we decline to adopt our proposed new entrant rule. The spectrum sharing plan that we adopt achieves the same pro-competitive objectives as our proposed new entrant rule with the additional benefit of permitting the licensing of all five second processing round applicants. Therefore, our proposed new entrant rule is unnecessary.

3. As a result of the spectrum sharing plan agreed to by the second processing round applicants, all applicants can be accommodated in the available spectrum being licensed. Consequently, our proposed strict financial qualification standard is unnecessary to prevent an under-financed applicant from preventing a fully capitalized applicant from going forward. Therefore, we adopt a relaxed financial qualification standard that requires that second processing round applicants demonstrate finances sufficient to construct and launch two satellites in their proposed systems and to operate two satellites in their system for one year after their launch.

4. We adopt a spectrum sharing plan that permits licensing five second processing round applicants: three new Little LEO systems and two existing Little LEO licensees. One new Little LEO applicant (''System 1'') can operate a system in the 148–150.05 MHz uplink band and the 137–137.025 MHz, 400.15–401 MHz downlink bands. A second new Little LEO applicant (''System 2'') can operate a system in the 148–150.05 MHz uplink band and in parts of the 400.15–401 MHz and 137–138 MHz downlink bands. A third new Little LEO applicant (''System 3'') can operate a system in the 148–148.905 MHz uplink band and the 137.0725–137.9275 MHz downlink band. Orbital Communications Corporation, an existing Little LEO licensee (''Orbcomm''), can expand its Little LEO system by sharing approximately 355 kHz of spectrum in the 148–148.855 MHz uplink band with Systems 1, 2 and 3. Orbcomm will also operate in parts of the 137–138 MHz downlink band not being used by Systems 1 or 2. Finally, Volunteers in Technical Assistance, Inc. (''VITA''), also an existing Little LEO licensee, can expand its authorized Little LEO system to operate in the 400.5983–400.645 MHz downlink band on a time-shared basis with System 2. In the 137–138 MHz band, System 2 will